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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/789,398	02/27/2004	Kathleen M. Miller	98-P0151US2

27774  
 MAYER, FORTKORT & WILLIAMS, PC  
 251 NORTH AVENUE WEST  
 2ND FLOOR  
 WESTFIELD, NJ 07090



CONFIRMATION NO. 4925

## FORMALITIES LETTER



\*OC000000013365334\*

Date Mailed: 07/29/2004

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 06/29/2004 to the Notice to File Missing Parts (Notice) mailed 05/19/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Wieenna Bucay-Couto, Jianmin Li*

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Kathleen Miller et al.  
Application No. 10/789,398  
Filed: 02/27/2004  
Title: IMPLANTABLE OR INSERTABLE MEDICAL DEVICE RESISTANT TO  
MICROBIAL GROWTH AND BIOFILM FORMATION  
Art Unit: 3738  
Examiner: unassigned  
Docket No.: 98-P0151US2

Mail Stop Missing Parts  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**REPLY TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)**

In response to the Notice of Incomplete Reply (Nonprovisional), date mailed July 29, 2004, stating the reply filed by applicant on 06/29/2004 to the Notice to File Missing Parts (mail date 05/19/2004) is incomplete, Applicant states that this Notice of Incomplete Reply was issued in error and requests withdrawal of the notice and the issuance of an updated filing receipt.

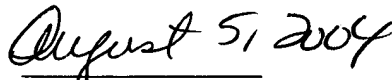
The Notice of Incomplete Reply indicates that the reply was incomplete because the signature of inventors Jianmin Li and Weenna Bucay-Couto are missing from the declaration. However, Applicant points out that 2 (two) separate declarations were filed with the response, one signed by inventor Kathleen Miller, and the second signed by inventors Jianmin Li and Weenna Bucay-Couto. Applicant hereby submits a copy of each declaration originally filed with the Response to Notice to File Missing Parts on 06/29/2004. Thus Applicant submits that the reply filed was complete and respectfully requests that an updated filing receipt be issued.

Since this Notice was issued through error on the part of the United States Patent and Trademark Office, no fees are deemed necessary in connection with this request.

However any fees or deficiencies may be charged to deposit account #50-1047.

Respectfully submitted,

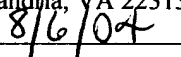
By:   
Keum J. Park Reg. No.42,059

  
Date

Mayer Fortkort & Williams PC  
251 North Avenue West, 2<sup>nd</sup> floor  
Westfield, NJ 07090  
Telephone: 908-518-7700  
Fax: 908-518-7795

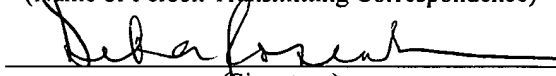
**Certificate of Mailing**

I hereby certify that this correspondence and any document referenced herein is being deposited with the U.S. Post Office as first class mail under 37 CFR 1.8 and is addressed to the United States Patent and Trademark Office, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450 on



Debra Rosenbaum

(Name of Person Transmitting Correspondence)

  
(Signature)